

## ABSTRACT

[illegible]

**Read the following:**

- $\langle \langle 0 \rangle \rangle$

(P.T.O)

4. And whereas, after examination of the written statement of Defence of the Charged Officer, the Government appointed Sri Janak Raj, IPS (Retd.), Commissioner of Inquiries, General Administration Department as Enquiry Officer under Rule.20(2) of Andhra Pradesh Civil Service (C.C. & A) Rules, 1991 to conduct departmental enquiry against the Charged Officer, viz., Sri Chinta Radha Krishna, formerly Assistant Executive Engineer and appointed Sri M.Vara Prasada Rao, Advocate in High Court of A.P., as Presenting Officer to present the case before the Enquiry Officer on behalf of the Government under Rule.20(5) (C) of Andhra Pradesh Civil Service (C.C. & A) Rules, 1991, vide reference 3<sup>rd</sup> read above.

5. And whereas, the enquiry Officer in his enquiry Report referred to in reference 4<sup>th</sup> read above has observed that in respect of the 1<sup>st</sup> charge against the CO is that by corrupt motive and in abuse of his official position, he demanded and accepted amount of Rs.10,000/- from Sri P. Chitti Babu on 22.11.2003 for showing official favour of returning M. Book for approval and clearance of the bill. In this connection, it must be kept in mind that the inquiry before this forum is not under prevention of Corruption Act, but under APCS (Conduct) Rules; that, the depositions of the witnesses and the list of records make it clear that the trap was laid and the bribe amount was accepted. The bribe amount was recovered from the charged officer's person and he admitted that the amount was given by Sri Chitti Babu; that, the CO has failed to bring in any evidence to show what for he accepted such huge amount of ten thousand rupees; that he only alleged the motive of the complainant to spoil his character and reputation; that the circumstantial evidence goes to show that the reason for the trap was for getting charged officer's signature on the M. Book for encashing bills by the complainant; that the CO has not contended that he did not receive Rupees ten thousand or it was forced on him or given to him by deceit or as return of loan etc.; that after considering the depositions of witnesses, the listed records, exhibits and the written arguments of the PO and the CO, the Enquiry Officer has stated that he had no hesitation to accept that a trap was successfully laid by the ACB and hold the first charge against the CO as proved. Further, the Enquiry Officer has held that the second charge against Charged Officer as not proved.

6. And whereas, a copy of the Enquiry Officer's Report was communicated to the Charged Officer, viz., Sri Chinta Radha Krishna, former Assistant Executive Engineer, RWS Sub-Divn., Bantumilli, Krishna District, for his representation, if any, under Rule 21 (2) of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991, vide reference 5<sup>th</sup> read above.

7. And whereas, the charged Officer, viz., Sri Chinta Radha Krishna, former Assistant Executive Engineer, Rural Water Supply Sub-Divn., Bantumilli, Krishna District in his explanation in reference 6<sup>th</sup> read above has stated that the second charge i.e., the M. Book, pertaining to the work executed by the contractor, viz., Sri P. Chitti Babu, was misplaced by the CO was not proved; that in regard to the first charge, that the work was sanctioned administratively by the Gram Panchayat and there was no complaint either by Gram Panchayat or anybody in preparation/sanction of the estimate and handing over to the Gram Panchayat; that the work was to be executed by the Sarpanch, Gram Panchayat and he understood that Sri P. Chittibabu would look after the execution of work; that soon after the completion of the work he recorded measurements in the M-Book and handed over to the Sarpanch well before Sri P. Chittibabu made a complaint against him to ACB that he had demanded illegal gratification of Rs.10,000/- for clearing the pending bills, which was completely false, as there was no pending bill to be cleared for the completed work and the payment was received by the Sarpanch 6 months before the date of complaint lodged with A.C.B; that the ACB trap was with malafide intention, as Sarpanch had drawn full amount on 17.2.03, which itself was a proof; that while he was trying to ascertain the reasons for offering of the money from Sri P. Chittibabu, who escaped from the scene without bothering to give reply to him, and in the meanwhile ACB officials laid the trap; and, he has requested to free him from the two charges.

(Contd...3..)

8. And whereas, after careful examination of the explanation submitted by the charged officer with the Enquiry Report, the Government observed that the Charged Officer, viz., Sri Chinta Radha Krishna, former Assistant Executive Engineer, Rural Water Supply Sub-Divn., Bantumilli, Krishna District had not put forth any new grounds in his explanation, warranting consideration, as the same was already covered in his Written Statement of Defence submitted and the same was already examined in the Commissioner of Inquiry's enquiry; and, hence his explanation does not deserve any meritorious consideration.

9. And whereas, it is considered that the conduct of the said Sri Chinta Radha Krishna, former Assistant Executive Engineer, Rural water supply and sanitation Sub-Divn., Bantumilli, Krishna District, which has led to his guilty of charge, is such as to warrant the imposition of a major penalty of "dismissal from Service". Government provisionally decided to impose a penalty of dismissal from service on Sri Chinta Radha Krishna, former Assistant Executive Engineer, Rural Water Supply, Bantumilli, Krishna District, now Assistant Executive Engineer, Koyyalagudem West Godavari District, for the charge held proved in the enquiry i.e. by corrupt motive and in abuse of his official position, he demanded and accepted amount of Rs.10,000/- from Sri P. Chitti Babu on 22.11.2003 for showing official favour of returning M. Book for approval and clearance of the bill; and, the concurrence of the A.P Public Service Commission was sought for, vide reference 7<sup>th</sup> read above.

10. And whereas, the A.P. Public Service Commission in reference 8<sup>th</sup> read above has agreed with the proposal of the Government, i.e., to impose punishment of dismissal from service against Sri Chinta Radha Krishna, formerly Assistant Executive Engineer and advised accordingly.

11. Now, therefore, in exercise of the powers conferred in terms of rule 9 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, the Government hereby dismiss from service, the said Sri Chinta Radha Krishna, former Assistant Executive Engineer, Rural water supply Sub-Divn., Bantumilli, Krishna District, with immediate effect.

12. The Engineer-in-Chief, Panchayat Raj, Hyderabad is directed to serve the dismissal order immediately and to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C.SASTRY  
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Chinta Radha Krishna, former Assistant Executive Engineer, RWS Sub-Divn., Bantumilli, Krishna District, through Engineer-in-Chief, Panchayat Raj, Hyderabad. The Engineer-in-Chief, Panchayat Raj, Hyderabad. (He is requested to serve the order on A.O. and furnish the dated acknowledgement immediately)

Copy to:

The Accountant General, AP, Hyderabad.

The Secretary, A.P. Vigilance Commission, Hyderabad. (1800/VC.G1/2003)

The Director General, Anti Corruption Bureau, Hyderabad. (267/RCT-VKI/2003)

The Secretary, A.P.Public Service Commission, Hyderabad. (1470/RT.I/3/2009)

The General Administration (COI-JR) Department.

SF/SCs

// FORWARDED :: BY ORDER //

SECTION OFFICER